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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



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|--------------------|--|------------------------------|
| Applicant(s):      | Gorenstein, et al.   | Group Art Unit:<br>Examiner: |
| Serial No.:        | 10/828,935   |                              |
| Filed:             | 4/21/2004  |                              |
| Title:             | Bead Bound Combinatorial Oligonucleoside Phosphorothioate and Phosphorodithioate Aptamer Libraries |                              |
| Attorney File No.: | UTMB:1024  |                              |

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**1<sup>ST</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

This First Supplemental Information Disclosure Statement is submitted:

- under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either a:
  - Statement under 37 CFR 1.97(e), or
  - a \$180.00 fee under 37 CFR 1.17(p), or
    - (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with a:
  - Statement under 37 CFR 1.97(e), and
  - a \$180.00 fee set forth in 37 CFR 1.17(p).
    - (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this Correspondence is being deposited with the United States Postal service with sufficient postage for first class mail in an envelope address to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or the correspondence is being facsimile transmitted to the USPTO, on the date indicated below.

Date of Deposit: July 16, 2004  
Typed Name: Edwin Flores

Signature:

Respectfully submitted,

Edwin Flores  
Attorney/Agent for Applicant(s)  
Reg. No. 38,453

Date: July 16, 2004  
Telephone No.: (214) 866-0001



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| Substitute for form 1449A/PTO |   |    |   | <b>Complete if Known</b> |                   |
|                               |   |    |   | Application Number       | 10/828,935        |
|                               |   |    |   | Filing Date              | 04/21/2004        |
|                               |   |    |   | First Named Inventor     | Gorenstein et al. |
|                               |   |    |   | Art Unit                 |                   |
|                               |   |    |   | Examiner Name            |                   |
| Sheet                         | 1 | of | 2 | Attorney Docket Number   | UTMB:1024         |

U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

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| Examiner<br>Signature |  | Date<br>Considered |  |
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|                               |   |    |   | <i>Application Number</i>   | 10/828,935        |
|                               |   |    |   | <i>Filing Date</i>          | 04/21/2004        |
|                               |   |    |   | <i>First Named Inventor</i> | Gorenstein et al. |
|                               |   |    |   | <i>Art Unit</i>             |                   |
|                               |   |    |   | <i>Examiner Name</i>        |                   |
| Sheet                         | 2 | of | 2 | Attorney Docket Number      | UTMB:1024         |

| NON PATENT LITERATURE DOCUMENTS |          |  |
|---------------------------------|----------|--|
| Examiner Initials*              | Cite No. | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.  |
|                                 |          | ANTSYPOVICH, ET AL. (1998) Cross-linked DNA duplexes: Exonuclease stability and interaction with the nucleic transcription factor of the κ light-chain enhancer (NF- κB).  |
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|                                 |          | UHLMANN, ET AL. (1997) Studies on the Mechanism of Stabilization of Partially Phosphorothioated Oligonucleotides Against Nucleolytic Degradation, <i>Antisense &amp; nucleic Acid Drug Development</i> , 7:345-350.  |
|                                 |          | ZON, GERALD (1988) Oligonucleotide Analogues as Potential Chemotherapeutic Agents. <i>Pharmaceutical Research</i> , Vol. 5, No. 9, pp. 539-549.  |

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| Examiner Signature | Date Considered |
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